

## **PROTECTION OF CHILDREN OUTSIDE THE UNITED KINGDOM**

### **An inquiry into the extent of any institutional failures to protect children outside of the United Kingdom from sexual abuse and exploitation**

#### **Update Note**

1. The Inquiry is publishing a notice today inviting applications for Core Participant status in the next phase of the Children Outside the United Kingdom (COUK) Investigation.
2. The scope of the COUK investigation has been published on the Inquiry's website.<sup>1</sup>
3. The first phase of the COUK investigation was a Case Study on the Child Migration Programmes. Public hearings in that phase were held in two parts: the first from 27 February 2017 to 10 March 2017 and the second from 10 to 21 July 2017, with closing submissions on 26 July 2017. The Inquiry's report on the Case Study on the Child Migration Programmes was published on 1 March 2018.<sup>2</sup> This Case Study has met the requirements of paragraph 2.1 and parts of paragraphs 2.2 and 2.3 of the published scope of the COUK investigation.
4. The next phase of the COUK investigation will be a Case Study considering the adequacy of the civil framework for the prevention of, and notification to foreign authorities of, foreign travel by individuals known to the UK authorities as posing a risk to children. This framework includes the powers to make Foreign Travel Orders (FTOs) and Risk of Sexual Harm Orders (RSHOs) that were set out in the Sexual Offences Act 2003; as well as Sexual Harm Prevention Orders (SHPOs) and Sexual Risk Orders (SROs) provided for by the Anti-Social Behaviour, Crime and Policing Act 2014. This Case Study will discharge paragraph 3.3 of the published scope of the COUK investigation.
5. This Case Study will consider, in particular:
  - a. the circumstances in which relevant orders can be made and what they seek to achieve;
  - b. the extent to which the powers to make such orders have been used since they were introduced;

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<sup>1</sup> <https://www.iicsa.org.uk/investigations/the-protection-of-children-overseas?tab=scope>

<sup>2</sup>

<https://www.iicsa.org.uk/key-documents/4265/view/Child%20Migration%20Programmes%20Investigation%20Report%20March%202018.pdf>

- c. the practical impact of such orders on known offenders when they have been used; and
  - d. whether there is a need for change in the framework applicable to these orders.
6. In order to investigate these issues the methods the Inquiry will use will include:
  - a. Conducting a review of information available from published or unpublished reports and reviews, law, policy, training, and previous investigations;
  - b. Considering the experiences of victims and survivors of child sexual abuse abroad; and
  - c. Inviting Core Participants, as well as a selection of relevant organisations and experts, to give evidence.
7. The current invitation for applications for Core Participant status relates to the Case Study described above. For the purpose of determining Core Participant applications at this stage, the matters to which the inquiry relates are those which are summarised in paragraphs 4-5 above.
8. The voice of victims and survivors is vital to the Inquiry's work. We want to hear from victims and survivors who wish to disclose an institutional or systemic failure to protect children from sexual abuse, or a failure to respond appropriately to such allegations, where they relate to the orders referred to above. The Inquiry will protect the identity of a victim or survivor, unless that individual expressly waives his or her anonymity.
9. The Inquiry will conduct a searching investigation into any institutional failure to protect children in this context. The investigation must be proportionate, and it is unlikely that the Inquiry will make any fresh determination as to whether an incident of sexual abuse of a child in fact occurred, or whether there was an individual failure, as opposed to an institutional failure, to protect children from sexual abuse.
10. The Inquiry is anxious to conduct this next phase of the investigation promptly. The deadline for applications for Core Participant status in this phase of the investigation is therefore before 4pm on 16 April 2018.

**12 March 2018**